

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 89978

Joseph A. Stakowiak Jr.  
Donna J. Stakowiak

25 Riverside Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 13, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312; 35-5-302, 302 (a)(1); Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 1B01.1D, 428, failure to cease the use of the property as an open dump, failure to cease the storage of all untagged/inoperative motor vehicles on residential property.

On March 18, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$8,600.00 (eight thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Joseph and Donna Stakowiak and Christina Frink, Baltimore County Code Enforcement Officer.

Testimony and evidence offered at the hearing revealed that the owners of the subject property have operated an open dump upon the premises and have caused unlicensed or inoperable vehicles to be stored. Inspector Frink testified there has been a drastic improvement to the property from the time of her first visit to the date of her follow up visit. She characterized the cleanup as "night and day". At the time of the hearing before me, there only remains an unlicensed vehicle on the property, which the Respondents hope to put on the road and use as their daily vehicle.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$8,600.00 (eight thousand six hundred dollars).

IT IS FURTHER ORDERED that \$8,300.00 of the \$8,600.00 civil penalty be suspended with the imposed \$300.00 relegated to bring the property into compliance by utilizing those funds to get the untagged vehicle properly tagged with the Motor Vehicle Administration. .

IT IS FURTHER ORDERED that the remaining \$8,300.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 21<sup>ST</sup> day of April 2011

Signed: ORIGINAL SIGNED  
Timothy M. Kotroco  
Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.